

IN THE DISTRICT COURT OF THE UNITED STATES  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

BROWN & WILLIAMSON TOBACCO  
CORPORATION,

Plaintiff,

v.

CLAUDIA J. COLLIER AND TERRY D.  
COLLIER,

Defendants.

CIVIL ACTION

FILE NO.: 5:09-CV-125

---

**ORDER FOR TEMPORARY RESTRAINING**  
**ORDER AND PRELIMINARY INJUNCTION**

Plaintiff Brown & Williamson Tobacco Corporation filed a motion for a temporary restraining order and preliminary injunction pursuant to F.R.C.P. 65(a). The motion sought to enjoin the Defendants from disposing of or intermingling with their own funds any portion of the settlement proceeds they received from Coliseum Medical Center in the action styled *In The State Court of Bibb County, State of Georgia, Claudia Jean Collier and Terry D. Collier, Plaintiffs, v. Lisa Farmer, M.D., J. Michael Rothwell, M.D., Macon Surgical Associates and Coliseum Medical Center, Defendants, Civil Action File No.: 04-57448*. On the date of the scheduled hearing, the parties came to a resolution of the issues related to the motion. Defendants disclosed the settlement amount to Plaintiff pursuant to the Court's instruction, and informed Plaintiff that attorney fees were distributed from the settlement. Additionally, some expenditures were made by Defendants following the disbursement of the settlement funds. The parties hereby consent and agree that the amount remaining from the Defendants' settlement with Coliseum Medical Center is \$70,000. Defendants agree to place the remaining amount in a non-interest bearing trust account pending the outcome of this action.

Respectfully Submitted:

s/Heather S. Robinson

HEATHER S. ROBINSON

Georgia Bar No. 142235

For the Firm

Attorney for Plaintiff

DENNIS, CORRY, PORTER & SMITH, L.L.P.

3535 Piedmont Road, NE

14 Piedmont Center, Suite 900

Atlanta, Georgia 30305-4611

Telephone: (404) 365-0102

Facsimile: (404) 365-0134

Email: hrobinson@dcplaw.com

s/James E. Carter

JAMES E. CARTER

Georgia Bar No. 114400

Attorney for Defendants

JAMES E. CARTER & ASSOCIATES

125 Park of Commerce Drive

Suite D

Savannah, GA 31405

Telephone: (912) 236-7200

Facsimile: (912) 236-4455

Email: jcarter@carterfirm.net

The above Consent Order is hereby approved this the 27<sup>th</sup> day of July, 2009.

s/ Hugh Lawson

THE HONORABLE HUGH LAWSON

UNITED STATES DISTRICT JUDGE